

REMARKS

Claims 1-78 are currently pending in this application. Claims 1-33 have been withdrawn from consideration in response to a previous restriction requirement. Claims 35, 50, and 65 have been canceled. Claims 34, 49, and 64 have been amended to more distinctly claim subject matter which the Applicants regard as the invention. No new matter has been introduced into the application by these amendments.

Claim Objections

Claims 34 stands objected to because of an alleged informality as to the form of the claim. This objection is not understood. Claim 34 is a method claim, comprising certain recited steps, as is proper. Nevertheless, to advance prosecution, claim 34 has been amended to revise the objected to claim language. The scope of claim 34 is not intended to be altered by this amendment. The withdrawal of the objection to the claim 34 is respectfully requested.

Claim 64 stands objected to because of an alleged informality. Claim 64 has been amended to revise the objected to language. The withdrawal of the objection to claim 64 is respectfully requested.

Claims 34, 49, and 64 stand objected to because of alleged informalities concerning the bodies of those claims in relation to their preambles. Those claims have been amended to revise the objected to portions. Withdrawal of the objection to claims 34, 49, and 64 is respectfully requested.

Claim Rejections - 35 USC § 102

Claims 34-35, 38-44, 49-50, 53-59, 64-65, and 68-74 stand rejected under 35 USC § 102(b) as being allegedly anticipated by Iijima (US Patent 5,225,664). Applicant respectfully traverses this rejection.

It is well settled that a reference must teach every element or aspect of a claim in order to be considered prior art under 35 USC § 102(b).

Regarding claims 34, 49, and 64, those claims recite retrieving a value X that was generated from a computer fingerprint F of the host and an identifier P securing access to the token. The examiner contends that Iijima discloses “generating the identifier P at least in part from the value X and the fingerprint F.” However, Iijima does not disclose or suggest a computer fingerprint at all, as disclosed page 7 line 16 to page 8 line 3 of the application as filed. The present specification teaches to generate a computer fingerprint F, “information regarding the host computer 102 is collected. This information can include, for example, the computer processor 104 serial and/or model number(s), the hard drive serial and/or model numbers(s), MAC address of a network interface card ... This information is used to generate a byte string C. This can be accomplished, for example, by concatenating all or some of the collected information. This information is used to generate a host computer 102 fingerprint F In one embodiment, the fingerprint F is simply the concatenation of all or some of the collected information. In another embodiment, the fingerprint F is a hash function ... applied to the collected information.” The encryption key is based on the host fingerprint F. Iijima does not disclose or suggest a host fingerprint F generated in such a manner. Instead, Iijima discloses using “detected internal data NNNNN” as an encryption key. Nevertheless, to emphasize that the fingerprint is computed using host information, claims 35, 50, and 65 have been canceled,

and their limitations combined with their respective base claims, which now recite that “host fingerprint F is computed at least in part from host information C.”

In addition, the Examiner contends that Iijima discloses generating the identifier P at least in part from the value X and the fingerprint F, and transmitting the identifier P to the token. However, that is incorrect. Iijima discloses that encryption keys are stored in a data file, both on the terminal and on the IC card. In contrast, the claims recite that the identifier P is generated (not stored) in the host, and transmitted to the token to authenticate the token. Nevertheless, to emphasize that the value P is regenerated from a retrieved value X and fingerprint F to authenticate the token, the claims have been amended to recite “regenerating the same identifier value P at least in part from the value X and the fingerprint F; and transmitting the regenerated identifier P to the token to authenticate the token for operation with the host.”

Because Iijima does not teach all of the elements of claims 34, 49, and 64, Iijima does not anticipate those claims under 35 USC § 102(b), and claims 34, 49, and 64 are deemed allowable over Iijima. Claims 36-48 depend from claim 34, claims 51-63 depend from claim 49, and claims 66-78 depend from claim 64. Therefore, without prejudice to their own individual merits, those claims are also allowable.

In addition, with reference to the limitations of claims 35, 50, and 65 (now included in claims 34, 49, and 64, respectively), the examiner contends that Iijima discloses wherein the host fingerprint F is computed at least in part from host information C, citing column 3 lines 64-67. However, the cited location does not disclose computing a host fingerprint from host information. Instead, a random number is generated in the terminal 8, from which data “EXCH (ALG, KID-03, A)” is transmitted to the IC card 1. No mention is made of computing a host fingerprint from host information at the cited location or elsewhere.

Based on the arguments presented above, reconsideration and withdrawal of the rejection of claims 34, 38-44, 49, 53-59, 64, and 68-74 under 35 USC § 102(b) is respectfully requested.

Claim Rejections - 35 USC § 103

Claims 45-48, 60-63, and 75-78 stand rejected under 35 USC § 103(a) as being allegedly unpatentable over Iijima (same as above) in view of Miura (US Patent No. 6,952,775). Claims 36-37, 51-52, and 66-67 stand rejected under 35 USC § 103(a) as being allegedly unpatentable over Iijima (same as above) in view of Ayyagari *et al.* (US 2003/0208677). Applicant respectfully traverses this rejection.

To establish a *prima facie* case for obviousness under 35 USC § 103(a), it must be shown that the asserted references, when read alone or in combination, teach all of the elements of the examined claims.

Claims 45-48, 60-63, and 75-78 depend from claims 34, 49, and 64, respectively, and it is noted that Miura is relied on only for the additional features of claims 45-48, 60-63, and 75-78. Miura does not supplement Iijima to provide the elements of claims 34, 49, and 64 missing from Iijima. Therefore, without prejudice to their own individual merits, claims 45-48, 60-63, and 75-78 are deemed allowable over the cited references for at least the same reasons as claims 34, 49, and 64 are allowable over Iijima alone.

Claims 36-37, 51-52, and 66-67 also depend from claims 34, 49, and 64, respectively, and it is noted that Ayyagari is relied on only for the additional features of claims 36-37, 51-52, and 66-67. Ayyagari does not supplement Iijima to provide the elements of claims 34, 49, and 64 missing from Iijima. Therefore, without prejudice to their own individual merits, claims 36-

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37, 51-52, and 66-67 are deemed allowable over the cited references for at least the same reasons.

as claims 34, 49, and 64 are allowable over Ayyagari alone.

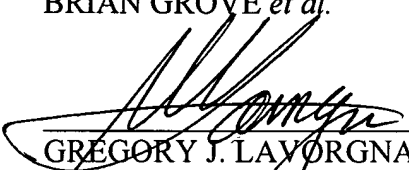
Conclusion

In view of the foregoing amendment and remarks, Applicants respectfully submit that claims 34, 36-49, 51-64, and 66-78 are in condition for allowance and a notice of allowance is respectfully requested.

Respectfully submitted,

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